

## **REMARKS**

### **Status of the Claims**

Claims 12-14, 17-20 and 23-31 are presented. No claims are amended.  
No claims are cancelled. No new claims are added.  
No new matter has been introduced.

### **Summary of the Invention as Claimed**

Pending claims 12 – 14, 17, 24, 26 - 31 are directed to cosmetic and/or pharmaceutical compositions. The compositions of these claims comprise, in addition to an alkyl and/or alkenyl oligoglycoside, at least one **anionic** dicarboxylic acid C6-22 monoester or salt thereof. An important and unexpected advantage of certain aspects of the compositions as now claimed is that the composition exhibits foam stability and reduced irritation as compared with component (a) alone.

Pending claims 18 – 20, 23 and 25, are directed to processes for enhancing the dermatological and ophthalmic mucous membrane compatibility of a cosmetic and/or pharmaceutical composition comprising adding to the composition an effective amount of a composition which comprises, in addition to an alkyl and/or alkenyl oligoglycoside, at least one **anionic** dicarboxylic acid C6-22 monoester or salt thereof.

### **Rejections under 35 U.S.C. § 103(a)**

Claims 12-14, 17-20 and 23-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wevers, et al. (US 4,714,565; "Wevers") in view of Wulff, et al. (US 5,859,218; "Wulff"), or vice-versa. Applicants respectfully traverse this rejection.

Wevers discloses concentrated heavy duty detergent compositions containing (a) 10-50% of a mixture of anionic and nonionic surfactants, (b) less than 50% water, and (c) a **water insoluble** dicarboxylic acid C8-20 monoester. (see col. 2, line 18 and col. 3, line 56). There is no disclosure or suggestion in Wevers of an anionic form of a dicarboxylic acid C8-20 monoester. In fact, the specification of a water insoluble material defines a material that does not dissociate in water, and therefore as a matter of essence must be anionic.

Not only does Wevers fail to disclose an anionic dicarboxylic acid ester, Wevers also fails to alkyl/alkenyl oligoglycosides. This deficiency in Wevers is acknowledged by the Examiner.

The Examiner relies on Wulff for its disclosure of a process for preparing alkyl polyglycoside and a variety of applications for the alkyl polyglycosides prepared by the disclosed method as indicated by the examples. Even if the Examiner were correct in her characterization of Wuff as overcoming the deficiencies Wevers with respect to the oligoglycosides, which applicants do not concede, there is nothing in Wuff to suggest the claimed combination of the specified alkyl and/or alkenyl oligoglycoside and at least one **anionic** dicarboxylic acid C6-22 monoester or salt thereof.

## CONCLUSION

In view of the above arguments Applicants believe that the pending claims are in condition for allowance. The Examiner is respectfully requested to reconsider, withdraw the rejections and allow the claims. If any additional fees are required in support of this application, authorization is granted to charge our Deposit Account No. 50-1943.

Respectfully submitted,

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